

Message Text

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DEPARTMENT FOR EUR/CE, SCA AND PPT

E.O. 11652: GDS

TAGS: PBOR, PINT, CGEN, CPAS, GW, GE, WB, US

SUBJECT: "GERMANY" IN DIPLOMATIC PASSPORT

REF: A) BERLIN 6894; B) BERLIN 6845

1. ON DECEMBER 16, EMBASSY OFFICER (WOLF) CALLED ON MRS. SEIDEL OF CONSULAR DEPARTMENT MFA TO RECEIVE AN EXPLANATION AS TO WHY MFA WAS NOT PREPARED TO ISSUE A ONE- YEAR DIPLOMATIC VISA IN THE US DIPLOMATIC PASSPORT OF RACHEL BISHOP, AN EMBASSY DEPENDENT (REF A). AN UNIDENTIFIED GDR NOTE-TAKER WAS PRESENT.

2. MRS. SEIDEL RECALLED THE BACKGROUND OF THE CASE, AND REPEATED THAT THE MFA WAS "NOT IN A POSITION" TO VISA THE PASSPORT BECAUSE "BIRTHPLACE" WAS DESCRIBED AS "GERMANY".

AS SOON AS BIRTHPLACE WAS CHANGED TO READ " FEDERAL REPUBLIC OF GERMANY", THE MFA WOULD ISSUE A ONE-YEAR MULTIPLE ENTRY-EXIT VISA, SHE SAID.

3. MRS. SEIDEL RECALLED THAT RACHEL WAS BORN IN 1969, A YEAR WHEN THE EXISTENCE OF TWO GERMAN STATES WAS A "HISTORICAL REALITY." THE CONSULAR DEPARTMENT OF THE MFA HAD NO INTENTION OF LETTING THE MATTER BECOME SERIOUS IN LIGHT OF THE GENERALLY GOOD RELATIONS ON
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THE CONSULAR SIDE. HOWEVER, SHE ADDED THAT THESE WERE

SIGNIFICANT POLITICAL FACTS ("BEDEUTSAME POLITISCHE TATSACHEN") WHICH ACCOUNTED FOR THE GDR POSITION.

4. EMBOFF RESPONDED BY SAYING WE WERE ASTONISHED AT THIS POSITION. ALL COUNTRIES DESCRIBED BEARERS OF DIPLOMATIC PASSPORTS IN THE MANNER PRESCRIBED BY THEIR OWN INTERNAL REGULATIONS. WE HAD MADE A TIMELY APPLICATION BY NOTE FOR VISAING RACHEL BISHOP'S PASSPORT. YET THE GDR HAD TAKEN NO ACTION. THE VISA HAD EXPIRED. THE CHILD'S TRAVEL ON CHRISTMAS VACATION WAS IN JEOPARDY. THIS HAD OCCURRED BECAUSE THE MFA REFUSED TO ISSUE A VISA UNLESS THE USG ALTERED THE BIRTH-PLACE DESCRIPTION TO MEET GDR REQUIREMENTS. THIS DESCRIPTION WAS ENTIRELY A USG INTERNAL MATTER. WE BELIEVED THIS WAS NOT AN APPROPRIATE REQUEST. WE EXPECTED THE MFA TO ISSUE A VISA IN THIS PASSPORT. WE HOPED TO FURTHER AND IMPROVE US/GDR RELATIONS AND ACTIONS OF THIS KIND DID NOT HELP.

5. MRS. SEIDEL AGREED THAT THE BEARER'S DESCRIPTION IN A PASSPORT WAS AN INTERNAL AFFAIR OF THE ISSUING GOVERNMENT. SHE NOTED, HOWEVER, THAT VISA ISSUANCE WAS ALSO AN INTERNAL MATTER, WITH CONDITIONS FOR ISSUANCE SET BY THE ISSUING STATE. IN THE RACHEL BISHOP CASE, SHE SAID IT WAS NOT THE DESIRE OF THE MFA TO DENY A VISA. THE US HAD DIPLOMATIC RELATIONS WITH BOTH THE GDR AND FRG. "GERMANY" DID NOT FIT THE REALITIES OF US/GDR RELATIONS.

6. EMBOFF SAID HE HAD NOTED MRS. SEIDEL'S COMMENTS AND DEPARTED. RACHEL'S PASSPORT WAS NOT RETURNED TO EMBOFF, AND IS STILL IN THE POSSESSION OF THE MFA.

7. COMMENT AND NEXT STEPS- IN THIS DISCUSSION, THE MFA CONCEDED THAT THE DESCRIPTION OF THE BEARER OF A PASSPORT IS AN INTERNAL MATTER FOR THE ISSUING GOVERNMENT. IN THE NEXT SENTENCE, THE ISSUANCE OF A VISA WAS SIMILARLY CHARACTERIZED. THE MFA, THEREFORE, MAY NOT ONLY BE NEEDLING US ON THE GERMAN NATIONALITY ISSUE, BUT MAY ALSO BE SETTING THE STAGE TO COUNTER FUTURE
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US OBJECTIONS TO THE USE OF CERTAIN PHRASEOLOGY IN GDR VISAS.

8. THEIR ARGUMENT IN THE RACHEL BISHOP CASE APPEARS

8. THEIR ARGUMENT IN THE RACHEL BISHOP CASE APPEARS WEAK TO US, ESPECIALLY IN LIGHT OF FOUR RECENT PRECEDENTS THAT SUPPORT THE US REQUEST IN THIS INSTANCE.

IT IS PROBABLY ALSO SIGNIFICANT THAT MRS. SEIDEL
MADE NO ATTEMPT TO RETURN RACHEL'S PASSPORT, WHICH WAS
NOT IN EVIDENCE AT THE MEETING.

9. WE INTEND TO GIVE THE MFA A COUPLE OF DAYS TO DIGEST
OUR POSITION. WE HAVE REPEATED OUR REQUEST FOR ANEW
VISA. IT IS CONCEIVABLE THAT HAVING REGISTERED THEIR
VIEWS ON THE ISSUES, THE MFA WILL NOW PROCEED TO
ISSUE THE VISA.

10. IF THEY DO NOT, THE CHARGE INTENDS TO OBTAIN AN
APPOINTMENT WITH AMBASSADOR KLOBES, HEAD OF THE CONSULAR
DEPARTMENT, TO MAKE A FIRM REQUEST FOR A PROMPT AND
SATISFACTORY RESOLUTION OF THIS AFFAIR. IF KLOBES, WHO
IS THE GDR'S CHIEF NEGOTIATOR OF CONSULAR AGREEMENTS,
REFUSES TO AUTHORIZE A VISA, WE WILL BE FACED WITH A
GDR DECISION TO TRANSFER THIS MATTER INTO A POLITICAL
QUESTION IN OUR RELATIONS.

11. DEPARTMENT' COMMENTS WOULD BE APPRECIATED. GEROVE

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